

EMPLOYMENT DISCRIMINATION COMPLAINT FORM
Texas Workforce Commission Civil Rights Division

Please return this form by:
Mail: 101 East 15th Street, Guadalupe CRD, Austin, TX 78778-0001
Email: EEOIntake@twc.state.tx.us
Telephone: (888) 452-4778 or
Fax: (512) 463-2643 or (512) 463-2755

Case 3:22-cv-00800-S-BN Document 1-1 Filed 12/07/21 Page 1 of 17 PageID 6

TWCCRD# _____

EEOC# _____

Please indicate if you have previously filed this complaint with any of the agencies below:

- ☐ Texas Workforce Commission Civil Rights Division (TWCCRD)
☐ Equal Employment Opportunity Commission (EEOC)
☐ City of Austin Equal Employment and Fair Housing Office
☐ Corpus Christi Human Relations Division
☐ Fort Worth Human Relations Department

DATE RECEIVED (For Office Use Only):

Please be sure you provide all the information requested. For Assistance, send an E-mail to EEOIntake@twc.state.tx.us or call us at (888) 452-4778. (Ofrecemos asistencia en Español)

Complainant Full Name:

Brian William Collister

Address Line 1: 295 Desert Willow Way

Address Line 2:

City/State/Zip: Austin, TX 78737

Home Phone #: 512-808-8217

Other Phone #:

Email: briancollister@yahoo.com

Complainant Representative (Optional): (If you are represented by an attorney, please have them submit a letter of representation):

Address Line 1:

Address Line 2:

City/State/Zip:

Phone #:

Fax #:

Preferred Form of Contact: (Please check)

☒ E-mail ☐ Telephone

Date Hired: N/A **Position held:**

Still employed? ☐ Yes ☐ No

HR Personnel Officer/EEO Officer/or Highest Ranking Officer on work site:

Name of Employer (Please be sure to give the complete Company name and address where you physically worked)

TEGNA Inc./WFAA-TV

15 or more employees:

☒ Yes ☐ No

Company Address

Address Line 1: 606 Young Street

Address Line 2:

City/State/Zip: Dallas, TX 75202

Phone #: (214) 748-9631

Company Officer Address

Address Line 1: 606 Young Street

Address Line 2:

City/State/Zip: Dallas, TX 75202

Phone #: 1-713-208-6066

BASIS: I believe I have been discriminated against in violation of state law (Texas Labor Code, Chapter 21) and federal law (ADEA, GINA, Title VII, ADAAA), as follows:

☒ **Age** (You must be 40 years of age or older to qualify):

Date of Birth: 05 / 21 / 00

Month/day/year

Age at time of incident:

53

☐ **Color** (Based on skin color):

☐ Black

☐ Brown

☐ White

☐ Other:

☐ **Disability:**

☐ Disabled

☐ History of disability

☐ Regarded as disabled

(Pregnancy is NOT a disability unless you are regarded as disabled.)

Please mark only the basis you believe were the reasons you were discriminated.

☐ **GINA** (Genetic Information Non-discrimination Act)

☐ **National Origin:**

☐ African-American

☐ Anglo/Caucasian

☐ East Indian

☐ Hispanic

☐ Mexican

☐ Other:

☐ **Race:**

☐ American Indian/Alaskan Native

☐ Asian/Pacific Islander

☐ Black

☐ White

☐ Other:

EXAMPLE: If your treatment was because of your race, then check only the box by your race.

☐ **Religion:**

☐ Baptist

☐ Catholic

☐ Jewish

☐ Muslim

☐ Other:

☐ **Retaliation:**

☐ Assisted another filing discrimination

☐ Filed a complaint of discrimination

☐ Participated in discrimination investigation.

ON THIS DATE:

____ / ____ / ____

Month/day/year

☒ **Sex:**

☐ Female

☐ Female/Pregnancy

☒ Male

☐ Demotion (D1)
☐ Discharge (D2)
☐ Discipline (D3)
☐ Harassment (H1)
☐ Hiring (H2)

☐ Layoff (L1)
☐ Promotion (P3)
☐ Reasonable Accommodation (R6)
☐ Severance Pay (B5)
☐ Sexual Harassment (S4)

☐ Suspension (S5)
☐ Terms & Conditions (T2)
☐ Training (T4)
☐ Wages (W1)
☐ Other:

The following questions are regarding the employment harms or actions taken against you.
 (Each incident must be within 180 days of the date you submit your complaint to the TWCCRD.)

DATE(S) DISCRIMINATION TOOK PLACE (Month/Day/Year)

Earliest (Month/Day/Year)

Latest (Month/Day/Year)

☒ CONTINUING ACTION

Name and Position Title of person(s) who did the harm:

Ellen Crooke - VP of News
 Carolyn Mungo - vice president and station manager

(If filing under race, color, national origin, religion, sex, age, please provide the race, color, national origin, religion, sex, or age of the person(s) discriminating against you:)

Both are Female, Unknown Ages

Did you complain of discrimination to your employer? ☐ Yes ☐ No

If Yes, date of complaint: ____/____/____ (Month/Day/Year)

N/A

Name and Position Title of person(s) you complained to:

Explain why you believe the employment harm(s) and/or action(s) were discriminatory:

I applied for the position of "TEGNA Texas investigative / Deep Dive Multi-skilled Journalist" and was informed on 2/13/2020 that they hired for the position. I was never contacted or interviewed.

I met all qualification and salary requirements. But for my age, I should have been hired. Instead the company hired a female reporter under 40 despite their lack of qualifications in comparison to my own because TEGNA has a documented history of discriminating against male applicants & employees over 50 years of age.

Please see attached documents in support of my claim.

Employer's reason for its action:

VP of News Ellen Crooke has publicly stated she takes the position that TEGNA does not need "old" investigative reporters. Her exact quote will be supplied during this investigation.

Are there other employees treated more fairly than you? ☐ Yes ☐ No

N/A

If Yes, please provide the information below:

Full Name and Position Title

(If filing under race, color, national origin, religion, sex, and/or age, please provide the race, color, national origin, religion, sex, or age of the person(s) treated more fairly than you.)

What are you seeking as a resolution to your case?

TBD

What is the most convenient method to contact you:

☐ Email: briancollister@yahoo.com
briancollister@yahoo.com

☒ Telephone: (512) 808-8217 /
512-808-8217

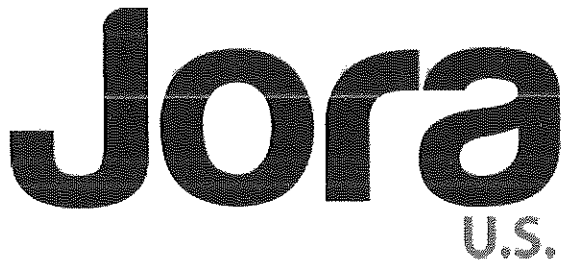
/s/

Brian Collister

Signature

3/26/2020

Date



what: where:
job title, keywords or company city, state or postcode

- [Employer log in / Post a job](#)
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Sorry we are unable to retrieve your email from Facebook. Please use the link below to sign up with email.

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Logging in...

Reloading page...

This job is no longer available at TEGNA

Texas Investigative / Deep Dive Multiskilled Journalist

TEGNA Dallas, TX

TEGNA is looking for an investigative multi-skilled journalist to join a new Texas investigative deep-dive team. We're looking for a strong storyteller who can focus on short-term and long-term investigative content to serve TEGNA's 11 markets in Texas. This includes providing context and depth on news of the day.

The ideal candidate has a proven reputation as an ethical, trusted journalist who is both creative and analytical. The multi-skilled investigator can do it all – loves to dig into research, knows how to tell compelling stories, understand digital and social platforms, and can shoot/edit. This journalist knows how to use all the tools in the toolbox to craft the most compelling, interesting, and engaging content.

In this role, you will:

- Enterprise and develop investigative stories affecting Texans.
- Dig into complex and important issues related to daily news topics in TEGNA's Texas markets
- Develop reliable sources and contacts in general and specialized areas of interest.
- Use open records laws and computer assisted reporting skills to find information and data that lend depth and context to your stories.
- Write in an exciting, captivating and authentic manner for multiple platforms.
- Help with production ideas for data content in on-air and online stories.

- Use CAP and NICAR skills to find data and turn that into great stories.
- Develop story ideas, write, shoot and edit news stories for on-air broadcasting.
- Use the latest editing and photography tools to tell great stories.
- Develop original content through social listening and independent sources.
- Deliver on-air news events in an engaging, exciting, and accurate manner.
- Interview news subjects and research for facts and credibility.
- Produce investigations that are unique and captivating.
- Operate news gathering vehicle to and from various locations.
- Use creative production techniques such as graphics and new forms of media (viewer pictures, webcam interviews, etc.) to enhance stories.
- Help with production ideas for data content in on-air and online stories.
- Perform other tasks as required by supervisor or executive producer.

7 months ago
savesavedemail

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Protecting America is not just a **job**. It's a calling. Are you ready to protect? Apply now. Be part of one of the world's largest law enforcement organizations. Apply today. Over 64 Days PTO a Year.

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From: brian@investigativenetwork.org
To: "Crooke, Ellen"
Cc: "Ryan, Tim"; "Mungo, Carolyn"
Subject: Brian Collister/Texas Job Application
Date: Thursday, September 26, 2019 5:38:03 PM
Attachments: [Brian Collister TEGNAcoverletter.pdf](#)
[Brian Collister Resume 2019.pdf](#)

Hi Ellen,

I've formally applied for the Texas statewide investigative position and would appreciate your support!

Please see attached, willing to re-locate, work for salary budgeted and close Investigative Network which has not found funding to date.

Thanks,

Brian Collister
Chief Investigative Reporter/CEO
512-808-8217



Independent Investigative Network is the first nonprofit news organization to exclusively produce video & film based investigative content by experienced award-winning investigative journalists. We are editorially independent and create original investigative documentary films, broadcast video and digital streaming investigative content, as well as partnering with existing news organizations on national, state and local issues.

From: noreply@TEGNA.com <noreply@TEGNA.com>
Sent: Thursday, September 26, 2019 4:36 PM
To: brian@investigativenetwork.org
Subject: Thank You for your Application

Thank you for your interest in TEGNA! We have received your application for the position of Texas Investigative/Deep Dive Multiskilled Journalist.

If your skills and experience match the requirements for the role, a recruiter or hiring manager will contact you. If you're not a fit for this role, we will notify you, and we will also keep your resume in our talent database for future openings that may be a better match.

We also encourage you to join our Talent Network to get updates on opportunities as they arise.

Best,

TEGNA HR





Brian Collister - Investigative Reporter - Austin, TX (512) 808-8217

Dear Ellen,

I am writing to let you know I am formally applying for the job posting you have for an investigative multi-skilled journalist to join TEGNA's new Texas investigative deep-dive team. As you know, over my 20 years of investigative experience, I have established a proven track record of being a strong storyteller, reputation as being ethical, trusted, in addition to both creative and analytical. You may not know this but, I am a multi-skilled investigator who can do it all – loves to dig into research, knows how to tell compelling stories, understand digital and social platforms, *and can shoot/edit* to craft the most compelling, interesting, and engaging content. Yes, I shoot and edit!

Since we met along with Chris Moeser and talked at length at the Investigative Reporters & Editors conference last June, I've heard from both Tim Ryan and Sally Ramirez that your Texas news directors "love the idea" of my proposal, which you were kind enough to brief them on, for a Texas TEGNA investigative unit that I would lead. I believe the huge success of our Sandra Bland story on WFAA, and other TEGNA stations, proves I am more than qualified than any other candidate for the position posted.

At this time, I'd like you to know that I am more than willing to:

1. Relocate to Dallas
2. Work for whatever salary you have budgeted
(I *will not* try to negotiate a penny more than what you've budgeted for this position)
3. And will close the non-profit Investigative Network, which to date has not received necessary funding

As I've told you since I first brought this concept to you several years ago – this exact type of position has been my professional goal for most of my career. I have seen the potential for just such a unit and have pitched it to anyone, and any TV station, that would listen for the past decade in hopes that one day someone would see the opportunity to do impactful statewide investigative journalism. So, because of my breadth of experience, I am certain that I am the best candidate to lead the TEGNA Texas Investigative team to success and I trust you, and any others involved in interviewing and hiring for the job, will feel the same.

In Summary: I meet or exceed the Qualifications

- I have more than 20 years experience covering this state and enterprising and developing investigative stories affecting Texans. Digging into complex and important issues related to daily news topics across Texas while developing reliable sources and contacts in general and specialized areas of interest.
- In addition to my two decades of using our open records laws on a daily basis, I am also highly proficient in computer assisted reporting skills to find information and data that lend depth and context to your stories.
- My stories create memorable moments, with an exciting, captivating and authentic manner for multiple platforms. The Bland story is a great example.
- I've also helped with production ideas for data content in on-air and online stories using CAP, Lexis Nexis and NICAR skills to find data and turn that into great stories.
- I pride myself in being a self-starter who develops story ideas, writes, and can shoot and edit news stories, for on-air broadcasting by use the latest editing and videography tools to tell great stories while developing original content through social listening and independent sources.
- I've demonstrated I can deliver on-air news events in an engaging, exciting, and accurate manner. interview news subjects and research for facts and credibility while produce investigations that are unique and captivating. I am capable of using creative production techniques such as graphics and new forms of media (viewer pictures, webcam interviews, etc.) to enhance stories. While also helping with production ideas for data content in on-air and online stories.
- Best of all, I'm a team player who will perform other tasks as required by my supervisor or executive producer. I am also, thanks to my wife, in the beginning stages of being bilingual (english & spanish)
- A will include in my portfolio examples of strong breaking news reporting and ability to generate creative, engaging, content-driven live shots. As we all do these days, I have strong social media skills, including an active news hound presence on twitter and facebook. And I am familiar with ENPS, Edius and Axis graphics and have the organizational skills and the ability to work under constant time pressure deadlines with ability to calmly handle live, breaking news situations and changing events

Sincerely, *Brian Collister*

Brian Collister
Investigative Reporter
512-808-8217



Brian Collister - Investigative Reporter
Austin, TX (512) 808-8217

INVESTIGATIVE NETWORK: Lead Investigative Reporter/CEO

Investigative Network is the first of its kind non-profit journalism organization to exclusively produce video & film based investigative content by experienced award-winning broadcast investigative journalists dedicated to uncovering and exposing abuses of power, corruption, and betrayal of public trust by powerful elected officials and public and private institutions. Investigative Network brings impactful high-quality investigative docu-series to streaming platforms to educate the public and spur changes that improve lives and protect our democracy.

AWARDS (partial list):

2017 Alfred I. duPont - Columbia Award (BROADCAST EQUIVILANT OF PULITZER PRIZE)
2017 Walter Cronkite Award
2017 RTNDA Edward R. Murrow Award, Excellence in Innovation
2017 RTNDA Edward R. Murrow Award, Website
2017 Texas Associated Press Broadcasters, Investigative Reporting
2017 Headliners Foundation of Texas, Best Investigative Report
2017 Texas Gavel Award, State Bar of Texas
2016 Investigative Reporters and Editors, IRE Award
2016 RTNDA Edward R. Murrow Award, Website
2016 Texas Associated Press Broadcasters, Investigative Reporting
2016 Texas Associated Press Broadcasters, Continuing Coverage
2016 Emmy, Lone Star Regional, Investigative Reporter
2016 Headliners Foundation of Texas, Best Investigative Report
2016 Spirit of FOI Award, Freedom of Information Foundation of Texas
2016 Texas Gavel Award, State Bar of Texas
2015 Emmy, Lone Star Regional, Business/Consumer

ORGANIZATIONS:

Investigative Reporters & Editors
Board Member, Freedom of Information Foundation of Texas

EXPERIENCE:

Investigative Reporter – KXAN, Austin, TX
April 2015 to January 2018

Investigative Reporter – KTRK, Houston, TX
2013-14 (1 year)

Investigative Reporter – WOAI, San Antonio, TX
Nov 99 to 2013

EDUCATION:

B.F.A Broadcast Journalism – Sam Houston State University, Huntsville TX

From: Valadez, Eric
To: brian@investigativenetwork.org
Subject: RE: Brian Collister/Texas Job Application
Date: Thursday, February 13, 2020 10:58:27 AM
Attachments: [image004.png](#)

Brian,

Nice to hear from you. We made an offer to a finalist recently and are going through that (slow) process. Appreciate you following up.

ERIC VALADEZ

TEGNA Content Director

TEGNA

606 Young St., Dallas, TX 75202

evaladez@tegna.com | P. 303.518.1116

From: brian@investigativenetwork.org <brian@investigativenetwork.org>
Sent: Wednesday, February 12, 2020 2:02 PM
To: Valadez, Eric <evaladez@Tegna.com>
Subject: Brian Collister/Texas Job Application

CAUTION - EXTERNAL EMAIL - Please use caution opening attachments and never share your password. Send suspicious email to infosec@tegna.com.

Hi Eric,

Just want to make sure this has made it's way to you. I'm available, ready (can shoot & edit) and will work for what is budgeted!

Thanks,

Brian Collister

Chief Investigative Reporter/CEO

512-808-8217



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From: brian@investigativenetwork.org <brian@investigativenetwork.org>
Sent: Friday, January 3, 2020 9:51 AM

To: 'Crooke, Ellen' <ecrooke@tegna.com>
Cc: 'Mungo, Carolyn' <cmungo@wfaa.com>
Subject: Brian Collister/Texas Job Application

Hi Ellen,

Happy new year, I see TEGNA is still looking for: Texas Investigative MSJ.
Just a reminder, I'm VERY interested and VERY qualified.

Thanks,

Brian Collister

From: TEGNA Talent Network <tegna@marketing.jobs.net>
Sent: Tuesday, December 31, 2019 6:25 AM
To: Brian Collister <brian@investigativenetwork.org>
Subject: TEGNA has 1 job you may be interested in



Hi Brian,

Here are some jobs you may be interested in from TEGNA. We'll check for new positions frequently and send you an email if we find any matches.

You are receiving recommendations for **Texas Investigative/Deep Dive Multiskilled Journalist** in **Dallas, Texas**.

[Update your preferences.](#)

Apply

Investigative Visual Journalist
TX - Dallas

Thanks,

Brian Collister
Chief Investigative Reporter/CEO
512-808-8217



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Sent: Thursday, September 26, 2019 5:38 PM
To: 'Crooke, Ellen' <ecrooke@tegna.com>
Cc: 'Ryan, Tim' <timryan@kvue.com>; 'Mungo, Carolyn' <cmungo@wfaa.com>
Subject: Brian Collister/Texas Job Application

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Please see attached, willing to re-locate, work for salary budgeted and close Investigative Network which has not found funding to date.

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If your skills and experience match the requirements for the role, a recruiter or hiring manager will contact you. If you're not a fit for this role, we will notify you, and we will also keep your resume in our talent database for future openings that may be a better match.

We also encourage you to join our Talent Network to get updates on opportunities as they arise.

Best,

TEGNA HR

||

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Brian W. Collister
295 Desert Willow Way
Austin, TX 78737

From: San Antonio Field Office
5410 Fredericksburg Rd
Suite 200
San Antonio, TX 78229

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

31C-2020-00734

Jaime Valdez,
State & Local Coordinator

(210) 640-7548

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice;** or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☒

More than 180 days have passed since the filing of this charge.

☐

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

☒

The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.

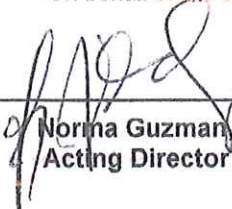
☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission


Norma Guzman
Acting Director

08/26/2021
(Date Issued)

Enclosures(s)

cc: TEGNA INC./dba WFAA-TV
Attn: Timothy Fair/VP-Labor And Employment
8350 Broad Street, Suite 2000
Tysons, VA 22102

US EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
SAN ANTONIO FIELD OFFICE
5410 FREDERICKSBURG ROAD SUITE 200
SAN ANTONIO, TX 78229-3555

AN EQUAL OPPORTUNITY EMPLOYER



*Received
12/20/21*

*400
144
Desert Willow Way
Austin, TX 78737*

Brian W. Collister
295 Desert Willow Way
Austin, TX 78737

